

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DISTRICT**

**MICHELLE DAY, ADMINISTRATOR
OF THE ESTATE OF JAMES AVERY
DEWEESE, SR. AND ON BEHALF OF
THE WRONGFUL DEATH BENEFICIARIES
OF JAMES AVERY DEWEESE, SR;
RUTH DEWEESE, INDIVIDUALLY; and
MICHELLE DAY, INDIVIDUALLY**

PLAINTIFFS

VS.

CASE NO. 4:14-CV-0342 KGB

UNITED STATES OF AMERICA

DEFENDANT

**MOTION FOR PARTIAL AMENDMENT TO THE AMENDED
FINAL SCHEDULING ORDER**

1. Plaintiffs ask the Court to modify the Amended Final Scheduling Order entered by the Court on July 16, 2015 as reflected herein.

2. David Hodges is scheduled to have bi-lateral knee replacement surgery on December 10 and will most likely be out of the office until January 10, although David Hodges anticipates taking care of some business, from home, but because of the surgery on both knees the ability to come to the office on a regular basis after the surgery on December 10 will be limited.

3. Lindsey Lorence, the attorney for the Defendant, United States of America, has authorized David Hodges to state to the Court that she has no objection to the relief sought herein.

4. The parties ask the Court to modify paragraph 4, expert disclosures

and reports, to provide that the case-in-chief expert disclosures, including reports, be changed until February 15, 2016. Also, the parties ask the Court to modify the rebuttal expert disclosures including reports, which must be made by March 15, 2016.

5. Plaintiffs ask for the relief sought herein.

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WRONGFUL DEATH BENEFICIARIES OF
JAMES AVERY DEWEESE, SR; RUTH
DEWEESE, INDIVIDUALLY; and MICHELLE
DAY, INDIVIDUALLY, Plaintiffs**

By: /s/David A. Hodges
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CERTIFICATE OF SERVICE

I hereby certify that on December 4, 2015, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which shall send notification of such filing to the following:

Ms. Lindsey Mitcham Lorence
Assistant United States Attorney
P.O. Box 1229
Little Rock, AR 72203

/s/ David Hodges

DAVID HODGES